

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.1.0 Definitions

42.1.1 Family Planning Waiver

The Family Planning Waiver (FPW) is a subprogram of the Wisconsin Medicaid (MA) program that provides limited benefits relating to family planning services for women who are:

- 15 years of age or older and under age 45, **and**
- Who have income at or below 185% of the Federal Poverty Level (FPL), **and**
- Not receiving full-benefit MA (24.2.0)

Men are not eligible for this subprogram of Medicaid.

Women eligible for FPW may be eligible to receive more than one limited benefit MA subprogram, including:

- Tuberculosis-related MA (19.7.0).
- Qualified Medicare Beneficiary (27.3.0).
- Specified Low-Income Medicare Beneficiary (27.4.0).
- Family Care Non-MA (32.3.0).

42.2.0 Presumptive Eligibility (PE)

FPW presumptive eligibility (PE) provides family planning services beginning on the day that a qualified provider determines that the woman is/has:

- 15 years of age or older and under age 45, **and**
- A Wisconsin resident, **and**
- A citizen of the U.S., **and**

The qualified provider should refer non-citizens to the Economic Support Agency (ESA) for a MA eligibility determination.

- Income at or below 185% of the Federal Poverty Level (FPL), **and**
- Not receiving a full-benefit MA subprogram (24.2.0)

FPW PE extends from the date that the woman is determined eligible by the qualified provider through two calendar months following the month of application. FPW PE can only be received once within a 12-month period.

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.2.0 Presumptive Eligibility (PE) (cont.)

Note: The FPW PE period extends one full calendar month longer than the PE period for pregnant women (26.4.0).

42.2.1 Qualified Providers

Qualified providers are certified by the Division of Health Care Financing (DHCF). A qualified provider will determine if a woman is presumptively eligible for the FPW. If she is found to be eligible, the qualified provider will:

1. Complete and sign the Medicaid Family Planning Waiver Presumptive Eligibility Application form (HCF 10119).
2. Fill out the temporary MA ID card at the bottom of the HCF 101119. The certification dates will be from the date FPW PE is determined through the end of the second month following the month in which the determination is made.

Give the woman the temporary MA ID card.

Explain that the duration of her FPW PE period depends on when she applies for MA and the ongoing FPW through her local ESA.

- a. If she applies for ongoing FPW by the end of the second month following the month in which she became eligible for FPW PE, the ongoing FPW period begins the first of the month in which she applied and is found eligible. The FPW PE period ends the day before her ongoing FPW period is to begin.

Example. Amber applies for FPW PE on September 19th. Her FPW PE will continue through the end of November.

Amber applies for ongoing FPW on November 2nd and is found eligible. Amber's ongoing FPW will begin November 1st, and her FPW PE will end October 31st.

- b. If she does not apply by the end of the second month following the month in which she became eligible for FPW PE, the FPW PE period ends the last day of the second month following the month in which she was determined eligible for FPW PE.

Example. Brenda applied for FPW PE on April 3rd. Her FPW PE continued through the end of June.

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.2.1 Qualified Providers (cont.)

Amber does not apply for ongoing FPW until August 15th and is found eligible beginning August 1st.
Brenda's FPW PE ended June 30th.

Send a copy of the completed HCF 10119 to the MA fiscal agent and the ESA within five days of completion.

42.2.2 At the ESA

If the woman applies for MA and/or ongoing FPW at the ESA on or before the last day of her FPW PE period:

1. Verify she is presumptively eligible by checking her temporary MA ID card or checking MMIS for a medical status code of "PF".
2. Assist her in filing the application. Consider the application filed if her name, address and signature are on the application.
3. If you are unable to finish processing her application by the end of her FPW PE period, submit a DES 3070 to extend her FPW PE period for an additional calendar month.

42.3.0 Application

Eligibility for FPW goes back to the first of the month of application if all non-financial (42.4.0) and financial (42.6.0) eligibility requirements have been met. There is no three-month backdate period for FPW.

42.4.0 Non-Financial Requirements

The following are FPW specific non-financial requirements:

- *Be a woman 15 years of age or older and under age 45.*
- *Not be receiving a full-benefit MA subprogram (24.2.0).*
- Meet all of the non-financial criteria listed in 40.2.0 with the two exceptions listed below:
 1. Women applying for or receiving only the FPW do not need to cooperate with Medical Support Liability (MSL), unless she is also applying for or receiving MA (other than the FPW) for any child for whom she is the caretaker.
 2. Women applying for or receiving only the FPW do not need to cooperate with Third Party Liability (TPL),

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.4.0 Non-Financial Requirements (Cont.)

unless she is also applying for or receiving Medicaid (other than the FPW) for any child for whom she is the caretaker.

Close any woman applying for or receiving the FPW who refuses to cooperate with MSL or TPL requirements when she has a child receiving Medicaid in the home, unless the woman is a minor or has good cause (7.5.0 and 38.3.3). A pregnant woman should not be denied the FPW if she refuses to cooperate with providing MSL information or TPL information if the source of the health insurance coverage is the absent parent of her child(ren).

42.5.0 Fiscal Test Group

The fiscal test group (FTG) includes:

The non-financially eligible household member, **and**

Her spouse, **and**

Her minor natural or adoptive children.

Example. Cheryl and Eric are not married, and have a child together, Alex. Cheryl is only requesting FPW for herself, and is requesting MA for Alex.

Alex is found eligible for Healthy Start. In building the FPW FTG, Alex is a counted child. Eric is not part of the FPW FTG, because he is only legally responsible for a counted child in the FPW FTG. The FPW FTG is a group size of two.

42.5.1 SSI Recipients

Do not include Supplemental Security Income (SSI) recipients in the FPW test or FTG. Do not count their income.

42.5.2 Fetus

Increase the FTG size by one for each fetus a pregnant woman in the FTG is carrying.

Example. Samantha and Howard are married, and have two minor daughters, Shannon and Colleen. Shannon is pregnant. Samantha is only requesting FPW for herself, and is requesting MA for her two daughters.

Shannon and Colleen are found eligible for Healthy Start. In building the FPW FTG, Shannon, Shannon's fetus, and

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.5.2 Fetus (cont.)

Colleen are counted children. Howard is part of the FPW FTG, because he is legally responsible for Samantha. The FPW FTG is a group size of five for Samantha.

42.5.3 Minors

For minors that are applying for FPW, the FTG only includes the minor unless she is married and/or has children of her own. Do not include her parents in her FTG.

42.6.0 Financial

42.6.1 Assets

There is no asset test for FPW.

42.6.2 Income

Use the Family MA budgeting rules in Appendix 15, including prospective income budgeting (15.6.0). The following are specific FPW financial eligibility requirements:

- The income that is reported in the application month is used to determine the client's financial eligibility for the entire 12-month eligibility period.
- Any change in income or household size reported after confirmation for FPW during the 12-month eligibility period will only be applied to the client's FPW eligibility if it results in her becoming eligible for a full-benefit MA subprogram.
- All changes in income or household composition that result in the woman being found eligible for full-benefit MA will result in her FPW closing prior to the 12th month.

Example. Erin had applied for MA for her and her son Mike in January. Erin was found eligible for BC with a premium, and chose to receive FPW instead. May 6th she reports a decrease in income that results in her being found eligible for full-benefit MA without any cost sharing. Erin's full-benefit MA eligibility begins June 1st and her FPW ends May 31st.

- All changes in income and household size will be applied at the 12-month FPW eligibility review.

Use the client's self-declared household gross income if she is only applying for a MA subprogram, including FPW. If the client is applying for any other program of assistance, use the appropriate prospective budgeting technique (15.6.1).

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.6.2 Income (cont.)

From the client's gross income subtract any of the following deductions that are applicable to determine the total family income:

- *\$90 Earned Income Disregard (15.3.5).*
- *Child Support Disregard (15.2.21).*
- *Dependent Care (17.1.2).*
- *Apply any other Family MA income disregards (15.2.0).*

The total family income should then be compared against and should not exceed 185% of the FPL.

There is no deductible for a woman that exceeds the income limit.

42.6.2.1 Minors

Determine the income of minors applying by subtracting any applicable deductions from her gross income. Do not count the income of her parents in determining her eligibility.

Count any money that is provided to a minor by a member of her household, such as an allowance, as unearned income in the month received.

42.6.2.2 Migrants

See 19.8.2.

42.6.3 Family Fiscal Unit (FFU)

Apply Family Fiscal Unit (FFU) budgeting rules (28.0.0) when a woman fails FPW financial eligibility under Family MA FTG budgeting rules and one of the following applies:

- The woman has minor children in the home.
- The spouse has minor children in the home.
- The woman is pregnant.

When testing a minor using FFU, do not include the minor's parents in the FFU size or allocate any income from the parents to the minor.

42.7.0 Program Choice

A woman applying for both MA and FPW will not be given a choice at the time of confirmation if she meets the eligibility requirement for another subprogram of MA in addition to FPW.

Confirm eligibility for any full-benefit MA subprogram,

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.7.0 Program Choice (cont.)

including BadgerCare (BC), that a woman requesting both MA and FPW is eligible for. All the eligibility requirements for that subprogram of MA apply, including restrictive reenrollment periods (12.9.0, 33.6.0). A woman may request, at any time, that she does not want to receive full-benefit MA or BC in order to receive only FPW. Change the request switch on ACPA for MA or BC to “N” in order to receive the FPW.

A woman who is found to be eligible for a deductible may also be eligible for FPW benefits during the deductible period. She may receive FPW benefits until she has met her deductible. The client can report any out-of-pocket medical bills incurred while she is receiving services through FPW in order to meet her deductible. Once her deductible has been met, she is receiving full-benefit MA, so she is no longer eligible for FPW but will continue to receive the same services through full-benefit MA.

Example. Theresa is an 18-year-old woman applying for MA, BC, and FPW for her and her daughter Sara (age six). She is found to be eligible for BC with a premium or a deductible.

If Theresa chooses BC, she would need to pay a premium but would be able to receive family planning services through BC as well as having coverage for her whole family. If she chooses the deductible, she can receive family planning related services through FPW until her deductible has been met.

42.8.0 Changes

Women receiving FPW only are not required to report changes in income or household composition during the 12-month certification period. FPW recipients are still required to report all other changes within 10 days of the change.

Changes a woman reports in income or household composition that result in her income exceeding the FPW income limit will not affect her FPW benefits for the remainder of the 12-month certification period. The woman's eligibility will be put into an extension phase (42.9.0) until the end of the 12-month certification period or until she reports an income decrease that is again below the FPW income limit.

Changes a woman reports in income or household composition that result in her income decreasing to the point

42.0.0 FAMILY PLANNING WAIVER (FPW)

42.8.0 Changes (cont.)

where she would be eligible for full-benefit MA, may be applied. If the woman has a request for full-benefit MA on file, she will be found eligible for full-benefit MA. At that time, her FPW will end.

FPW eligibility terminates when a woman loses non-financial eligibility. Terminate eligibility, using adverse action logic, if the client:

1. Reaches the age of 45 years.
2. Moves out of state.
3. Is an adult no longer cooperating with TPL, MSL, or Social Security Number (SSN) requirements.
4. Begins receiving full-benefit MA (24.2.0).

42.9.0 FPW Extension Phase

A woman will enter into a FPW extension phase if any of the following occur:

- The woman reports a change at any other time during the 12-month certification period in income or household composition that results in income that exceeds the FPW income limit.
- The woman's pregnancy extension (ME P or NE P) ended. If she has a request on ACPA for FPW and is not found eligible for full-benefit MA, she will be entered into a FPW extension phase. This would occur regardless of whether her income or household composition puts her income over the FPW income limit.
- The woman did not report the end of her pregnancy timely, and therefore did not enter a pregnancy extension. If her Healthy Start (NHSP or MHSP) eligibility ended, and she was not found eligible for full-benefit MA. This would occur regardless of whether her income or household composition puts her income over the FPW income limit.

The extension phase will be indicated by an information reason code on CARES.

42.10.0 Reviews and Recertifications

Reviews/recertifications (29.2.0) are required every 12 months after the initial eligibility determination. At the time of the FPW review, the woman's income and household

TABLE OF CONTENTS

<u>TOPICS</u>	<u>LOCATION</u>
42.10.0 Reviews and Recertifications (cont.)	<p>composition will again be tested against the FPW eligibility criteria. Like other MA subprograms, the client has the option of responding to the review process by mail, telephone, or in person.</p> <p>If the woman completes a review for another program of assistance at any time during the 12 month certification period and the information collected from that review indicates that she still meets FPW eligibility requirements, her review date should be set 12 months from that review date.</p> <p>If the woman completes a review for another program of assistance at any time before the 12th FPW income eligibility month, and is found to no longer meet the FPW eligibility requirements, she will be entered into a FPW extension phase (42.9.0). She will be required to complete a review at the end of the 12-month certification period. If at this review, she is found to still have income in excess of the FPW limit, her eligibility for the FPW extension ends.</p>
42.11.0 Confidentiality	<p>FPW clients have the same confidentiality protections as MA clients. In addition, women applying for or receiving FPW benefits will have the following additional confidentiality protections:</p> <ul style="list-style-type: none">• If requested, clients can have written communication sent to an alternate address instead of her home address.• Minors will not be referred to child support.